

REMARKS

The drawings were objected to under 37 CFR 1.83(a) for failing to show a labeled representation of the invention. It may be that this rejection arose because the Examiner was viewing the "empty box" drawing of the published application, which was used in corresponding international applications. When this case was filed it included a formal drawing with the boxes containing the text describing the operation of the inventive AED. A copy of the postcard receipt is enclosed evidencing the filing of the formal drawing and another copy is enclosed for the convenience of the Examiner. This drawing and its text match the same drawing filed with the priority provisional application. It is respectfully submitted that the formal drawing, in concert with the narrative of the specification, provide a full description of the claimed invention.

It is noted that the pending Claims 1-12 are in the form of apparatus claims, whereas the drawing and specification are more in the form of a method. To better conform the claims to the disclosure, Claims 1-12 have been canceled and new Claims 13-26 have been added. The new claims are method claims and it is respectfully submitted that they are fully supported by the disclosure. It is further respectfully submitted that the cancellation of Claims 1-12 obviates the §112 rejection.

The originally filed claims were rejected under 35 U.S.C. §102(b) and 103(a) as being anticipated by or obvious in view of US Pat. 6,201,992 (Freeman) and US Pat. 7,310,553 (Freeman). Freeman '992 describes a defibrillator with a video display on which images are displayed to guide an operator through a rescue. Certain of the exemplary images guide the operator through pad placement in concert with accompanying audio prompts. However, Freeman simply provides the sequence of prompts and images without sensing whether the visually and audibly prompted activities have been carried out

by the operator. Prior art devices and methods such as that exemplified by Freeman '992 and Freeman '553 provide an "open loop" series of instructions to guide a rescuer in pad placement, without verification by the AED that the prompted activities have been completed successfully as the prompting proceeds. Generally, as typified by these patents, it is not known that the pads are correctly attached until the end of the prompting when the AED tries to acquire ECG signals or measure chest impedance, and the signals are either successfully received or not received. In this regard it is noted that new Claim 13 calls for sensing that the operator has conducted a prompted pad placement action, a function which is not shown or suggested by the Freeman patents. An embodiment of the present invention not only guides the rescuer through a series of pad placement actions, but also senses that the prompted actions have been carried out. For this reason it is respectfully submitted that new Claim 13 is patentable over Freeman. In addition the new dependent Claims 14-26 recite specific activities which are sensed in particular ways during pad placement, none of which are shown or suggested by Freeman. For example the dependent claims recite sensing that the pads are being handled, that the pads have been removed from a release liner, or that an impedance signal indicates that the pads have been placed as prompted. In other claims an error state of pad placement is sensed and a correction prompt is issued by the AED. It is respectfully submitted that the dependent Claims 14-26 are patentable over the Freeman patents by reason of these additional recitations.

The prior art made of record and not relied upon has been reviewed and is not believed to affect the patentability of the new Claims 13-26.

In view of the foregoing amendment and remarks it is respectfully submitted that the formal drawing shows a fully labeled representation of the invention as described in the specification, that new Claims 13-26 are clear and definite

and fully supported by the disclosure, and that the new claims are patentable over the prior art of record.

In light of the foregoing amendment and remarks, it is respectfully submitted that this application is now in condition for allowance. Favorable reconsideration is respectfully requested.

Respectfully submitted,

KIM HANSEN ET AL.

By: /W. Brinton Yorks, Jr./
W. Brinton Yorks, Jr.
Reg. No. 28,923

Philips Electronics
22100 Bothell Everett Highway
P.O. Box 3003
Bothell, WA 98041-3003
(425) 487-7152
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